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Attorneys for Official Unsecured Creditors' Committee for USA  
Commercial Mortgage Company

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

**In re:**

**USA Commercial Mortgage Company**  
**06-10725 – Lead Case**

**USA Capital Realty Advisors, LLC**  
**06-10726**

**USA Capital Diversified Trust Deed Fund, LLC**  
**06-10728**

**USA Capital First Trust Deed Fund, LLC**  
**06-10728**

**USA Securities, LLC**  
**06-10729**

**Debtors.**

Jointly Administered

Chapter 11 Cases

Judge Linda B. Riegler Presiding

**Notice of Hearing on Motion to Amend  
Debtor's Protocol for Continuing  
Distributions and Interim Holdbacks**

Date: September 13, 2006

Time: 9:30 a.m.

**Affecting:**

☐ All Cases

**or Only:**

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☒ USA Capital Diversified Trust Deed Fund, LLC

☒ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

Notice is hereby given that, as directed by the Court on August 31, 2006, the Official Unsecured Creditors' Committee for USA Commercial Mortgage Company ("Unsecured Committee") filed the Motion to Amend Debtor's Protocol for Continuing Distributions and Interim Holdbacks on September 1, 2006 [DE 1233]. In substance, the motion requests approval of an order which grants the request for continuing authority to make payments as requested in the Debtors' Motion To Distribute Funds And To Grant



1 Ordinary Course Releases And Distribute Proceeds (the “Distribution Motion”) [DE 847]  
2 and Debtors’ Modification to Motion to Distribute Funds and Proposed Procedures for  
3 Ongoing Distributions [DE 1203] (“Debtors’ Modification”), but which also holds back  
4 for resolution by further order of this Court certain amounts for the reasons stated in the  
5 Unsecured Committee’s Response to Motion to Distribute Funds and to Grant Ordinary-  
6 Course Releases and Distribute Proceeds [DE 995], which was supported by the  
7 Declaration of Edward M. Burr [DE 996] as well as the response to the Distribution  
8 Motion filed by the Diversified Fund.

9 The date and time of the proposed hearing were set forth in the caption of the  
10 Motion.

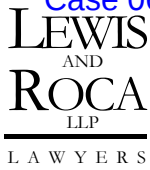
11 Any Opposition must be filed pursuant to Local Rule 9014(e)(1).

12 Local Rule 9014(e)(1): Except for motions made pursuant to Fed. R. Bank.  
13 P. 7056 and LR 7056, an opposition to a motion must be filed and service  
14 completed upon the movant not more than fifteen (15) days after service of  
15 the motion. If the hearing has been set on less than fifteen (15) days’ notice,  
16 the opposition must be filed no later than five (5) business days prior to the  
hearing unless otherwise ordered by the court. The opposition must set forth  
all relevant facts and must contain a legal memorandum. An opposition may  
be supported by affidavits or declarations that confirm to the provisions of  
LR 9014(d).

17 A copy of the Applications may be obtained by accessing BMC Group, Inc.’s  
18 website at [www.bmcgroup.com/usacmc](http://www.bmcgroup.com/usacmc), by accessing PACER through the United States  
19 Bankruptcy Court website for Nevada at [www.nvb.uscourts.gov](http://www.nvb.uscourts.gov), or by contacting BMC  
20 Group at telephone: (888) 909-0100, or from the undersigned.

21 NOTICE IS FURTHER GIVEN that the hearing may be continued without further  
22 notice.

23 NOTICE IS FURTHER GIVEN that unless otherwise indicated herein, the hearing  
24 will be held before a United States Bankruptcy Judge, in the Foley Federal Building, 300  
25 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada on September 13, 2006 at  
26 9:30 a.m.



1 Dated September 10, 2006.

2 **LEWIS AND ROCA LLP**

3  
4 By /s/ RC (#006593)

5 Susan M. Freeman, AZ 4199 (pro hac vice)

6 Rob Charles, NV 6593

7 *Attorneys for Official Unsecured Creditors' Committee*  
8 *for USA Commercial Mortgage Company*

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